

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

MELISSA ROSSERO and)	
CHRISTOPHER ROSSERO,)	
Plaintiffs,)	
)	
v.)	Civil Action No. 14-1084
)	United States Magistrate Judge
)	Cynthia Reed Eddy
ELI LILLY & COMPANY,)	
Defendant.)	

CASE MANAGEMENT ORDER

AND NOW this 5th day of February, 2015, IT IS HEREBY ORDERED that this action is placed under Local Rule 16.1 for pretrial proceedings and all provisions of the Rule will be strictly enforced. Compliance with provisions of Rule 16.1 shall be completed as follows:

1. The parties shall move to amend the pleadings or add new parties by March 5, 2015.
2. The parties shall complete fact discovery by February 4, 2016. All interrogatories, depositions and requests for admissions and/or production of documents shall be served within sufficient time to allow responses to be completed prior to the close of fact discovery.
3. Expert discovery shall commence at the end of fact discovery and shall end on June 3, 2016.

Plaintiffs' Expert Report due on or before March 7, 2016.

Defendant's Expert Report due on or before April 6, 2016.

Rebuttal reports, if any, shall be due by April 25, 2016.

Depositions of all experts shall be on or before June 27, 2016.

4. The parties shall file an ADR Stipulation in accordance with this Court's ADR Practices and Procedures by February 27, 2015, and shall complete the ADR process they select by June 5, 2015.

5. Procedures Following Inadvertent Disclosure (“Clawback”): Pursuant to Local Rule CvR 16.1(D), and to aid in the implementation of Fed. R. Evid. 502, it is hereby ordered that in the event of an inadvertent disclosure of any privileged or trial preparation/attorney work product material:
 - a) The producing party shall promptly notify all receiving parties of the inadvertent production of any privileged or trial preparation material. Any receiving party who has reasonable cause to believe that it has received privileged or trial preparation material shall promptly notify the producing party.
 - b) Upon receiving notice of inadvertent production, any receiving party shall immediately retrieve all copies of the inadvertently disclosed material and sequester such material pending a resolution of the producing party’s claim either by the Court or by agreement of the parties.
 - c) If the parties cannot agree as to the claim of privilege, the producing party shall move the Court for a resolution within 30 days of the notice set forth in subparagraph (a). Nothing herein shall be construed to prevent a receiving party from moving the court for a resolution, but such motion must be made within the 30-day period.
6. The Court will conduct a post-discovery status/settlement conference on July 12, 2016, at 10:00 a.m. in the Chambers of United States Magistrate Judge Cynthia Reed Eddy, Suite 10160 U.S. Post Office and Courthouse, 700 Grant Street, Pittsburgh, Pennsylvania. Trial counsel shall attend and the parties shall be available by phone. Counsel must deliver to chambers, or fax to Deputy Clerk Jack Hamilton at 412-208-7583, updated confidential position letters by July 8, 2016.

IT IS FURTHER ORDERED that counsel shall confer with their clients prior to all case management, status or pretrial conferences to obtain authority to participate in settlement negotiations to be conducted by the Court. Counsel are encouraged to instruct the principals to be available by telephone to facilitate the amicable resolution of all litigation.

By the Court:

s/Cynthia Reed Eddy
Cynthia Reed Eddy
United States Magistrate Judge

cc: all counsel of record